

Judge Barbara Jacobs Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

EARNEST JAMES UJAAMA,

Defendant.

NO. CR02-0283R

GOVERNMENT'S
SENTENCING
MEMORANDUM

The United States of America, by and through John McKay, United States Attorney for the Western District of Washington, Andrew R. Hamilton and Todd Greenberg, Assistant United States Attorneys for said District, and George Z. Toscas, Trial Attorney for the Department of Justice, respectfully files this sentencing memorandum on behalf of the Government.

Mr. Ujaama is to be sentenced following his plea and conviction on one count of Conspiracy to Violate the International Emergency Economic Powers Act, a violation of Title 50, United States Code, Section 1705(b) and Title 31, Code of Federal Regulations, Sections 545.204, and 545.206(b). The maximum penalty for this offense is imprisonment for up to ten (10) years, a fine of up to two hundred fifty thousand dollars (\$250,000.00), a period of supervision following release from prison of between two (2) and three (3) years, and a one hundred dollar (\$100.00) penalty assessment.

Because of certain security concerns, the United States is unable at this time to publically advise the Court of the full nature and scope of Mr. Ujaama's cooperation. As

1 the Court is aware, Mr. Ujaama's obligations under the plea agreement will continue after
2 he is sentenced. The Government believes that Mr. Ujaama has completely fulfilled his
3 obligations under the plea agreement as of this date.

4 Pursuant to USSG § 5K1.1 and 18 U.S.C. § 3553(e), the United States files notice
5 that Mr. Ujaama has provided substantial assistance to the Government in investigations
6 of individuals who have committed offenses against the United States. We join defense
7 counsel in recommending that Mr. Ujaama be incarcerated for twenty-four (24) months
8 with credit for time served, to be followed by a term of supervised release for thirty-six
9 (36) months. We further recommend that the Court not impose a fine in this case.

10 DATED this 3rd day of February, 2004.

11 Respectfully submitted,

12 JOHN McKAY
13 United States Attorney

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25 s/GEORGE Z. TOSCAS
26 GEORGE Z. TOSCAS
27 Trial Attorney for Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2004, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney(s) of record for the defendant(s). I hereby certify that I have served the attorney(s) of record for the defendant(s) that are non CM/ECF participants via telefax.

s/JANET K. VOS

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